

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

LOR XIONG

Plaintiff,

v.

Case No. 07-C-0208

**MICHAEL J. ASTRUE,
Commissioner of the Social Security Administration
Defendant.**

ORDER

I previously remanded this social security case on the parties' joint motion, then awarded attorney's fees in the amount of \$4386 under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. On remand, the Commissioner found plaintiff disabled and awarded back benefits. Plaintiff now seeks approval of attorney's fees under 42 U.S.C. § 406(b). See Koester v. Astrue, 482 F. Supp. 2d 1078, 1080 (E.D. Wis. 2007) (discussing § 406(b) standards). The Commissioner does not oppose the request, which I find reasonable.

THEREFORE, IT IS ORDERED that plaintiff's motion for an award of attorney's fees (R. 24) is **GRANTED**, and plaintiff's counsel, David Traver, is awarded fees in the amount of \$978.00.

Dated at Milwaukee, Wisconsin, this 18th day of December, 2009.

/s Lynn Adelman

LYNN ADELMAN
District Judge